

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

PATRICK JACKSON)
Plaintiff)
vs.)
CLINTON COUNTY CORRECTIONAL)
FACILITY,)
Defendant.)
C.A. No. 11-05 Erie
Magistrate Judge Baxter

MEMORANDUM OPINION¹

Plaintiff, presently incarcerated at the Clinton County Correctional Facility in McElhatton, Pennsylvania, filed this action *pro se* pursuant to 42 U.S.C. § 1983 on January 6, 2011. Plaintiff has filed a motion seeking leave to proceed in forma pauperis. The only named Defendant to this action is the Clinton County Correctional Facility. Plaintiff claims that his constitutional rights have been violated while he was incarcerated.

Title 28 U.S.C. § 1404(a) provides that “for the convenience of the parties and witnesses, in the interest of justice, a district court may transfer any civil action to any other district or division where it might have been brought.”

Title 28 U.S.C. § 1331 provides that venue is proper in civil rights actions in (1) a judicial district where any defendant resides, if all defendants reside in the same state, or (2) a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred. In this case, Defendant is not located within this District and the acts complained of did not occur within this District.

For the convenience of the parties, the Clerk of Courts is directed to transfer this action

¹ In accordance with the provisions of 18 U.S.C. § 636(c)(1), Plaintiff has voluntarily consented to have a United States Magistrate Judge conduct proceedings in this case, including entry of a final judgment. ECF No. 2.

to the Middle District of Pennsylvania, the district in which Clinton County is located.

An appropriate order follows.

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ORDER

AND NOW, this 12th day of January, 2011;

IT IS HEREBY ORDERED that the Clerk of Courts is directed to transfer this case to the United States District Court for the Middle District of Pennsylvania, FORTHWITH.

IT IS FURTHER ORDERED that the Order granting Plaintiff's motion for in forma pauperis status is withdrawn as that determination is best made by the Court in the Middle District.

S/ Susan Paradise Baxter
SUSAN PARADISE BAXTER
United States Magistrate Judge